

1 Martha G. Bronitsky
Chapter 13 Standing Trustee
2 Po Box 5004
3 Hayward,CA 94540

4 Trustee for Debtor(s)

6 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

7 In Re

8 James Willie Morgan
9 Barbara Jean Morgan

Chapter 13 Case Number:
13-42988-RLE13

10 Debtor(s)

11 **MOTION TO DISMISS OR CONVERT CHAPTER 13 CASE FOR FAILURE TO MAKE
PLAN PAYMENTS**

12 **TO THE DEBTOR(S) AND DEBTOR(S)' ATTORNEY:**

13 Martha G Bronitsky, Chapter 13 Standing Trustee, requests an Order Dismissing or Converting this case
14 pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the debtor(s) is in material default for the
15 following reasons:

16 **1. YOU ARE IN DEFAULT UNDER YOUR CHAPTER 13 PLAN.**

17 As of November 16, 2015 you should have paid a total of \$10,500.00 to the Chapter 13 Trustee.
18 According to the Trustee's records, you are in default in the amount of \$703.00 . The default amount
19 includes the current's month payment. The default amount does not include any payments which have been
20 suspended. Suspended payments may not bind creditors. Payments must be current until this Motion is
21 resolved.

22 **2. In order to continue to receive protection of the United States Bankruptcy Court:**

23 a. **YOU MUST** bring the case current by paying in certified funds to the Trustee in the amount of
24 \$703.00 within 21 days of the date of this notice; OR

25 b. **YOU MUST** meet and confer with the Trustee by contacting the Client Services Department AND
26 sign a Stipulation (agreement) describing how you will cure default in a manner which is acceptable to the
27 Trustee. Such meeting shall be held at the office of the Trustee, at the address listed above, and shall be by
28

1 appointment only; OR

2 c. **YOU MUST** contact your attorney immediately. Your attorney may apply to modify the plan or
3 advise you of any other legal options. This must be done within 21 days of this notice.

4 3. Unless you pay the default amount, stipulate to cure the default or file an Application to Modify plan, as
5 provided in paragraph 2 above, twenty-one (21) days from the date of this notice, **YOUR CASE SHALL**
6 **BE IMMEDIATELY DISMISSED OR CONVERTED WITHOUT ANY FURTHER NOTICE OR**
7 **HEARING.**

8 Dated: November 16, 2015

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

In re
James Willie Morgan
Barbara Jean Morgan
debtor(s)

Chapter 13 Case No.
13-42988-RLE13

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the registered agent for the creditor by depositing it in the United States mail with first class postage attached thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

James Willie Morgan
Barbara Jean Morgan
4308 Market Street
Oakland,CA 94608

Patrick L Forte Atty
1 Kaiser Plaza #480
Oakland,CA 94612

(Counsel for Debtor)

(Debtor(s))

Date: November 16, 2015

/s/ CHRISTIE ACOSTA

CHRISTIE ACOSTA